



Atty. Dkt. No. 058856-0104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuaki TOMITA
Title: PROGRAMMABLE CONTROLLER
Appl. No.: 09/805,567
Appl. Filing Date: 3/14/2001
Examiner: K. Dang
Art Unit: 2181

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☒ Please enter and consider the Amendment and Reply under 37 C.F.R. §1.116 previously filed on August 16, 2004.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.

11/15/2004 JBALINAN 00000107 09805567

01 FC:1801
02 FC:1253

790.00 OP
980.00 OP

☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

☐ Other ____.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Information Disclosure Statement.

☐ Form PTO-1449 with copies of ____ listed reference(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	8	- 20	= 0	x \$18.00	= \$0.00
Independents	2	- 3	= 0	x \$88.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$300.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$430.00		\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$980.00		\$980.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,530.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,080.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$980.00
	EXTENSION FEE ALREADY PAID: -			\$0.00
	EXTENSION FEE TOTAL			\$980.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$1770.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$1770.00

☐ Please charge Deposit Account No. 19-0741 in the amount of \$1770.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$1770.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Nov. 11, 2004

By



FOLEY & LARDNER LLP
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5485
Facsimile: (202) 672-5399



William T. Ellis
Attorney for Applicant
Registration No. 26,874

(40,358)